



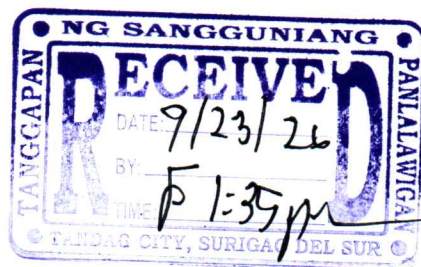
**Republic of the Philippines
MUNICIPALITY OF CAGWAIT
PROVINCE OF SURIGAO DEL SUR**

Office of the Sangguniang Bayan Secretary

September 23, 2026

The Honorable
Sangguniang Panlalawigan Members
Thru: **Hon. Manuel O. Alameda**
Provincial Vice Governor
Tandag City

Sir:



Pursuant to pertinent provision of the Local Government Code of 1991, I have the honor to submit the herein approved ordinance by the Sangguniang Bayan of Cagwait, for your review and approval, to wit:

ORD. NO. 33-26 – AN ORDINANCE PROVIDING FOR A COMMUNITY BASED-MENTAL HEALTH PROGRAM AND DELIVERY SYSTEM IN THE MUNICIPALITY OF CAGWAIT, SPROVINCE OF SURIGAO DEL SUR, ESTABLISHING MECHANISMS AND GUIDELINES FOR ITS IMPLEMENTATION AND APPROPRIATING NECESSARY FUNDS THEREFORE AND FOR OTHER PURPOSES.

Hoping for your favorable consideration and appropriate action.

Attached herewith:

- **Certificate of Posting and Publication.**
- **Minutes of the Public Hearing, and**
- **Attendance**

Very truly yours,

ALAN A. CABRERA
Secretary to the Sanggunian



Republic of the Philippines
MUNICIPALITY OF CAGWAIT
SURIGAO DEL SUR

Office of the Sangguniang Bayan Secretary

CERTIFICATE OF POSTING AND PUBLICATION

This is to certify that, in compliance to Section 59 of RA 7160; Article 113, IRR of R.A. No. 7160, copy of approved Ordinance titled hereunder was properly posted and published in three conspicuous places in the municipality.

ORDINANCE NO. 33-26 – AN ORDINANCE PROVIDING FOR A COMMUNITY BASED-MENTAL HEALTH PROGRAM AND DELIVERY SYSTEM IN THE MUNICIPALITY OF CAGWAIT, PROVINCE OF SURIGAO DEL SUR, ESTABLISHING MECHNISMS AND GUIDELINES FOR ITS IMPLEMENTATION AND APPROPRIATING NECESSARY FUNDS THEREFORE AND FOR OTHER PURPOSES.

Date Enacted	:	September 1, 2026
Date Approved	:	September 23, 2026
Date Posted	:	September 23, 2026
Place Posted	:	Municipal Hall Bulletin Board; Tubo-tubo Public Terminal; and Poblacion Gymnasium Cagwait, Surigao del Sur

Certified Correct:

ALAN A. CABRERA

Secretary to the Sanggunian



Republika ng Pilipinas
LALAWIGAN NG SURIGAO DEL SUR
BAYAN NG CAGWAIT

Tanggapan ng Sangguniang Bayan

EXCERPT FROM THE MINUTES OF THE 33rd REGULAR SESSION OF THE SANGGUNIANG BAYAN OF THE MUNICIPALITY OF CAGWAIT, SURIGAO DEL SUR HELD AT THE SESSION HALL ON SEPTEMBER 1, 2026:

PRESENT:

Hon. Armando P. Reyes ----- SB Member
(Temporary Presiding Officer)

REGULAR SANGGUNIANG BAYAN MEMBERS:

Hon. Joanne Socorro L. Ubongen	Hon. Joel E. Bayogbog, CE
Hon. Amelito E. Estrada	Hon. Guardian C. Lozada
Hon. Rogen P. Tabugoc	Hon. Angelyn P. Prado

EX-OFFICIO MEMBERS:

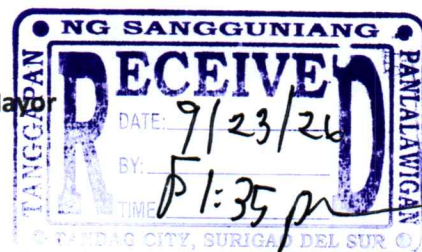
Hon. Bernard V. Loma ----- LnB Fed. Pres./SB Member

OFFICIAL BUSINESS:

Hon. Melchie C. Tuscano ----- Municipal Vice Mayor

OFFICIAL ON LEAVE:

Hon. Arthur M. Sanchez ----- SB Member
Hon. Princess Chewon C. Park ----- SK Fed. Pres./SB Member



ORDINANCE NO. 33-26

AN ORDINANCE PROVIDING FOR A COMMUNITY BASED-MENTAL HEALTH PROGRAM AND DELIVERY SYSTEM IN THE MUNICIPALITY OF CAGWAIT, PROVINCE OF SURIGAO DEL SUR, ESTABLISHING MECHANISMS AND GUIDELINES FOR ITS IMPLEMENTATION AND APPROPRIATING NECESSARY FUNDS THEREFORE AND FOR OTHER PURPOSES:

WHEREAS, under Section 15, Article II of 1987 Constitution provides, it is the policy of the State to protect and promote the right to health of the people and to instill health consciousness among them;

WHEREAS, Article 12 of the International Covenant on Economic, Social and Cultural Rights (ICESCR) recognizes the right of everyone to the enjoyment of the highest attainable standard of physical and mental health;

WHEREAS, the World Health Organization (WHO) defines mental health as “a state of well-being in which the individual realizes his or her own abilities can cope with normal stresses of life, can work productively and fruitfully, and is able to make a contribution to his or her community.” And it also calls attention of the public that mental health is more than just the presence of a psychiatric disorder or sickness but, more importantly, also redounds to a positive condition of one’s mental well-being;

WHEREAS, mental health is a vital part of a person’s total health and that the problems on mental health contain not just the traditional mental disorders but the issues of target populations susceptible to psychosocial risks cause by extreme life experiences such as disasters, near-death experiences, heinous and violent crimes, internal displacement brought by religious and civil unrests as well as the psychosocial matters of daily living like preserving a sense of well-being in these complicated times.

PROVINCE OF SURIGAO DEL SUR
Office of the Secretary to the Sangguniang Panlalawigan
Tel. No. : 086-2115832
Email: ossp@surigaodelsur.gov.ph
OSSP-26-06329



WHEREAS, under Republic Act No. 7277, as amended otherwise known as the “Magna Carta for Disabled Person”, there is a need to include mental health in the public health and hospital system in order to render available, accessible, affordable and equitable mental health care and services to our constituents, especially the poor, underserved and high-risk population;

WHEREAS, Republic Act No. 11036 (RA No. 11036), or “An Act Establishing a National Mental Health Policy for the Purpose of Enhancing the Delivery of Integrated Mental Health Services, Promoting and Protecting the Rights of persons utilizing Psychiatric, Neurologic and Psychosocial health Services. Appropriating Funds Therefore, and for other Purposes”, otherwise known as the “**Mental Health Act**”, approved on June 20, 2018;

WHEREAS, said Act mandates the Local Government Unit (LGUs) to review, formulate, and develop regulations and guidelines necessary to implement effective mental health care and wellness policy within their respective territorial jurisdictions, including passage of local ordinance on the subject of mental health, consistent with existing relevant national policies and guidelines;

NOW THEREFORE:

BE IT ORDAINED by the Sangguniang Bayan of the Municipality of Cagwait, Province of Surigao del Sur, in session assembled, that:

SECTION 1. SHORT TITLE - This Ordinance shall be known as the “**2026 MENTAL HEALTH CARE ORDINANCE OF CAGWAIT**”.

SECTION 2. DECLARATION OF POLICY - The Municipality of Cagwait affirms the basic right of all Filipinos to mental health as well as the fundamental rights of people who require mental health services. It is hereby declared the policy of the Municipality to uphold the right of the people o mental health and encourage mental health consciousness among them. Towards this end, the Municipality shall adopt an integrated and comprehensive approach to the development of the Municipal Mental Health Care Delivery System to deliver appropriate services and interventions including provision of mental health protection, care, treatment, and other essential services to those with mental health condition or disability.

SECTION 3. DEFINITION OF TERMS – As defined in this Ordinance, the following terms are defined as follows:

- a) **Allied Professionals** – refer to any trained or certified non-psychiatric physician, social worker, nurse, occupational therapist, counselor, priest, minister, pastor, nun, trained or certified non-psychiatric individual or non-physician;
- b) **Confidentiality** – refers to ensuring that all relevant information related to persons with psychiatric, neurologic, and psychological health needs is kept safe from access or use by, or disclosure to, persons or entities who are not authorized to access, use, or posses such information;
- c) **Discrimination** – refers to any distinction, exclusion or restriction which has the purpose or effect of nullifying the recognition, enjoyment or exercise, on an equal basis with others, of all human rights and fundamental freedoms in the political, economic, social cultural, civil or any other field. It includes all forms of discrimination, including denial of reasonable accommodation. Special measure solely to protect the rights of secure the advancement of persons with decision making impairment capacity shall not be deemed to be discriminator;



- d) **Drug Rehabilitation** – refers to the processes of medical or psychotherapeutic treatment of dependency on psychoactive substances such as alcohol, prescription drugs, and other dangerous drugs pursuant to Republic Act No. 9165, otherwise known as the “Comprehensive Dangerous Drugs Act of 2002”. Rehabilitation process may also be applicable to diagnosed behavioral addictions such as gambling, internet and sexual addictions. The general intent is to enable the patient to confront the psychological, legal, financial, social, and physical consequences. Treatment includes medication for co-morbid psychiatric or other medical disorders, counseling by experts and sharing of experience with other addicted individuals;
- e) **Informed Consent** – refers to consent voluntarily given by a service user to a plan for treatment, after a full disclosure communicated in plain language by the attending mental health service provider, of the nature, consequences, benefits, and risks of the proposed treatment, as well as available alternatives;
- f) **Mental Disability** – refers to impairments in activity limitations and individual and participatory restrictions denoting the negative aspects of interaction between an individual and his/her environment. This results from organic syndromes such as mental retardation and acquired lesions of the control nervous system, dementia and psychotic and non-psychotic disorders;
- g) **Mental Health** – refers to a state of well-being in which the individual realizes one’s own abilities and potentials, scopes adequately with the normal stresses of life, displays resilience in the face of extreme life events, works productively and fruitfully, and is able to make a positive contribution to the community;
- h) **Mental Health Condition** – refers to a neurologic or psychiatric condition characterized by the existence of a recognizable, clinically-significant disturbance in an individual’s cognition, emotional regulation, or behavioral that reflects a genetic or acquired dysfunction in the neurological, psychosocial, or developmental process underlying mental functioning. The determination of neurologic and psychiatric conditions shall be based on scientifically-accepted medical nomenclature and best available scientific and medical evidence;
- i) **Mental Health Facility** – refers to any establishment, or any unit of an establishment, which has, as its primary function, the provision of mental health services;
- j) **Mental Health Professional** – refers to a medical doctor, psychologist, nurse, social worker or any other appropriately-trained and qualified person with specific skill relevant to the provision of mental health services;
- k) **Mental Health Service Provider** – refers to An entity or individual providing mental health services as defined in this Ordinance, whether public or private, including, but not limited to mental health professionals and workers, social workers and counselors, informal community caregivers, mental health advocates and their organizations, personal ombudsmen, and persons or entities offering non-medical alternative therapies;
- l) **Mental health Service** – refer to psychosocial psychiatric or neurologic activities and programs along the whole range of the mental health support services including promotion, prevention, treatment, and aftercare, which are provided by mental health facilities and mental health professionals;
- m) **Mental Health Worker** – refers to a trained person, volunteer or advocate engaged in mental health promotion, providing support services under the supervision of a mental health professional;
- n) **Mental Illness** – refers to a mental or psychiatric disorder characterized by the existence of recognizable changes in the thoughts, feelings and general behavior of an individual brought about by neurobiological causes manifested by genetic or biochemical abnormalities and associated medical conditions which include distress, personality disorder, substance use dependence and mental retardation;



- o) **Psychiatric or Neurologic Emergency** – refers to a condition presenting a serious and immediate threat to the health and well-being of a service user or any other person affected by a mental health facilities and mental health condition, or any other person affected by a metal condition, or to the health or well-being of others, requiring immediate medical intervention;
- p) **Psychosocial Problem** – refers to a condition that indicates the existence of recognizable changes in the individuals behavior, thoughts and feelings brought about and closely related to sudden, extreme and prolonged stress in the physical or social environment;
- q) **Service User** – refers to a person with lived experience of any mental health condition including persons who require or are undergoing psychiatric, neurologic or psychosocial care; and
- r) **Traumatic Events** – refers to an incident that causes physical, emotional, spiritual or psychological trauma to an individual, including but not limited to accidents, natural disaster, attacks, sexual harassment, domestic violence and emotional or physical abuse.

SECTION 4. DUTIES AND RESPONSIBILITIES OF THE MUNICIPAL GOVERNMENT OF CAGWAIT. The following are the duties and responsibilities of the Municipal Government of Cagwait, to wit:

- a) Review, formulate and develop regulations and guidelines necessary to implement an effective mental health care and wellness program and policies;
- b) Integrate mental health care services in the basic health care services and ensure that these are provided in primary health care facilities;
- c) Establish or provide training programs or activities necessary to enhance the capacity of mental service providers and other health workers in providing appropriate mental health services or interventions;
- d) Establish and capacitate mental health care facilities or clinic in the municipality in order to be more accessible and responsive to the needs of the patient in the community;
- e) Establish a temporary housing facility for vagrant psychotics or individuals suffering from mental health problem with no identified relatives where they can live or stay;
- f) Refer or coordinate transfer of service users or patients to mental health facilities, professional workers and other service providers for appropriate care; and
- g) Establish a multi-sectoral network for the identification, management and prevention of mental health illness in the community.

SECTION 5. INSTITUTIONALIZING THE MENTAL HEALTH PROGRAM OF THE MUNICIPALITY. The mental health program and services of the Municipal Health Office of Cagwait is hereby institutionalized and shall be integrated as part of the public health services in the health facilities of the Municipal Government of Cagwait.

- a) Mental health care services to be provided in the municipality shall be:
 - 1) Based on medical and scientific research findings;
 - 2) Responsive to the clinical, gender, cultural and other special needs of the individuals being served;
 - 3) Services be provided in most appropriate and least restrictive setting;
 - 4) Age-appropriate;
 - 5) Provided by mental health professionals and workers in a manner that ensures accountability; and
 - 6) Economically accessible.



- b) The mental health care services shall aspire to evolve from a predominantly hospital-based mental health care system to a comprehensive community-based mental health care system which shall consists of:
- 1) Development and integration of mental health care at the primary health in community;
 - 2) Continuation of programs for capacity/capability building among esixting local health workers in close coordination with mental or psychiatric hospitals, universities and other health providers;
 - 3) Continuous support services and intervention for affected families;
 - 4) Advocacy and promotion of mental health awareness among the general population;
 - 5) Capacity building, reorientation and training shall be required for health providers;
 - 6) Research and development to improve mental health programs shall be undertaken, in collaboration with other government agencies, academic institutions, mental health associations and non-government organizations, to develop or enhance appropriate and relevant mental health services in the community.

SECTION 6. PROMOTION OF MENTAL HEALTH AND PUBLIC AWARENESS. To protect the dignity of those who are suffering from mental health problems, the Municipal Government of Cagwait shall promote an integrated approach to mental health care through programs that strengthen the basic coping mechanism of individuals.

It shall also endeavor to raise the value of mental health consciousness among the people, such as in the various educational and public and private workplaces, among others. The Municipal Government of Cagwait shall:

- a) Promote awareness on mental health wellness;
- b) Provide support and services for individuals at risk;
- c) Facilitate access, including referral mechanisms of individuals with mental health conditions to treatment and psychosocial support; and
- d) Correct the stigma and discrimination associated with mental health conditions.

SECTION 7. INTENSIFIED PSYCHOSOCIAL ACTIVITIES AND INTERVENTION AFTER CALAMITIES AND/OR DISASTERS AND OTHER TRAUMATIC EVENTS. The Municipal Government of Cagwait through the Municipal health Office (MHO) and Municipal Social Welfare and Development Office (MSWDO) shall conduct psychosocial interventions and activities especially in the aftermath of calamities. Traumatic incidence, disasters, pandemic which, needless to say, have contributed much to the state of well-being especially of children.

SECTION 8. MUNICIPAL MENTAL HEALTH ADVISORY COUNCIL (MMHAC). The Municipal Mental Health Advisory Council is hereby created to serve as advisory body in providing policies for a consistent, rational and unified response to mental problems, concerns and efforts through the formulation and implementation of the Municipal Mental health Care Delivery System.

For purposes of this Ordinance, the Municipal Mental Health Care Delivery System shall constitute a quality mental health care program through the development of efficient and effective structures, system and mechanisms that will ensure fair, accessible, affordable, appropriate, efficient and effective delivery of mental health care to all its stakeholders by qualified, competent, compassionate and ethical mental health professionals and mental health workers.



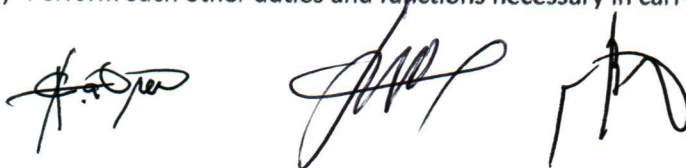
SECTION 9. COMPOSITION OF THE MMHAC. The Council shall be composed of the following:

Chairperson	- Municipal Mayor
Vice-Chairperson	- Municipal Health Officer
Members	- Chairman, SB Committee on Health & Social Services
	- Chairman, SB Committee on Education
	- Chairman, SB Committee on Barangay Affairs
	- President, SK Municipal Federation
	- Municipal Social Welfare and Development Officer
	- MPDC
	- Municipal Budget Officer
	- MHO-Mental Health Program Coordinator
	- GAD Focal Person
	- President, PWD Municipal Federation or Representative
	- Representative, Department of Health
	- Representative, Schools District Office, DepEd
	- Two (2) CSOs representatives involved in mental health issues

The Municipal Mayor shall appoint the members of the MMHAC through the issuance of an Executive Order within sixty (60) days from the effectivity of this Ordinance.

SECTION 10. DUTIES AND FUNCTIONS OF THE MMHAC. The MMHAC shall exercise the following duties and functions:

- a) Crafting of a unified Municipal Mental Health Care Program (MMHCP);
- b) Review the existing systems, policies and guidelines on mental health services that are implemented by different offices of the Municipal Government;
- c) Develop program for intervention designed to promote and upscale the approaches for mental health awareness for educational institutions, public and private workplaces, among others;
- d) Recommend intensified psychosocial activities with special focus on addressing effects of calamities and/or disasters and other traumatic events, including on-line consultations and discussions, in close coordination with the different guidance counselors of various schools in the municipality;
- e) Establish mechanisms of hotline, online and face-to-face consultations handled by trained professionals to counsel and cater cases that include, but not limited to, anxiety, stress, suicide, and self-harm and other preventable cases;
- f) Plan necessary capacity-building, reorientation, and training programs for mental health professionals, mental health workers, and allied professional;
- g) Assist barangays, as well as educational, training, and work institutions in the establishment of their respective mental health care system;
- h) Promulgate protocols and guidelines to facilitate into-LGU and NGA referral system, including access of individuals with mental health conditions to treatment and psychosocial support;
- i) Develop plans, programs and activities for the observance of Mental Health Month in the Municipality;
- j) Review all related laws and regulations related to mental health and recommend further appropriate legislation to the Sangguniang Bayan in order to sustain and strengthen programs, services and other mental health initiatives;
- k) Create such inter-agency committees, project task forces, and other groups necessary to implement the policy and program framework of this Ordinance;
- l) In close coordination with the municipal office, to monitor mental health cases and incidents in barangays, and educational, training and work institutions, and other sectors and organizations; and
- m) Perform such other duties and functions necessary in carrying the purposes of this Ordinance.



SECTION 11. MEETINGS. The MMHAC shall meet at least once a month or as frequently as necessary to discharge its duties and functions. It may be convened by the Chairperson, or upon written report of at least three (3) members.

The MMHAC shall invite in the said meeting representatives from civil society organizations of different sectors such as, but not limited to, children, women, persons with disability, elderly, youth, labor (both public and private), LGBTQA, and indigenous people.

The Municipal health Office shall serve as Secretariat of the MMHAC.

SECTION 12. QUORUM. The presence of a majority of the members of the MMHAC shall constitute a quorum.

SECTION 13. PSYCHIATRIC, PSYCHOSOCIAL, AND NEUROLOGIC SERVICES IN MUNICIPAL RURAL HEALTH CENTERS, SUPER HEALTH CENTER AND OTHER HEALTH FACILITIES.

A psychiatric, psychosocial, and neurologic services in the municipal public health facilities, which shall serve as a community-based mental health care facility of the Municipal Government.

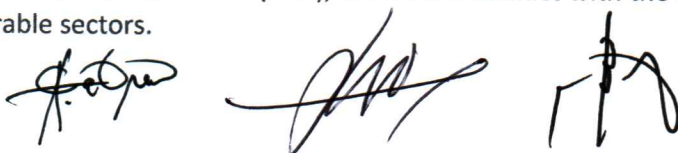
The Psychiatric, Psychosocial, and neurological Services Units shall provide the following services:

- a) Out-patient hospital care for those service users exhibiting psychiatric or neurologic symptoms;
- b) Linkage and possible supervision of home care services for those with special needs as a consequences of long-term hospitalization, unavailable families, inadequate families, inadequate or non-compliance to treatment;
- c) Coordination with drug rehabilitation centers on the care, treatment and rehabilitation of persons suffering from drug or other substance-induced mental, emotional and behavioral disorder; and
- d) Referral system with other health and social welfare programs, both government or non-government, for programs in the prevention of mental illness, the management of these at risk for mental health and psychosocial problems and mental illness or disability.

The Psychiatric, Psychosocial, and Neurological Services Unit shall have adequate room and a complement of mental health professionals. The Municipal Health Officer in the implementation of this provision, may enlist the assistance of support staff, trained barangay health workers (BHWs), allied professionals, and volunteer family members of patients/service users, provided that, they are equipped or to be equipped of appropriate trainings. It shall have basic equipment and supplies, and adequate stock of medicines appropriate at said level.

SECTION 14. COMMUNITY COUNSELING CENTER. Each barangay, as a matter of priority, shall establish or provide a counseling center/space so that those considered with mental health concerns may be initially evaluated and monitored, for their eventual referral to the proper mental health professional, worker, allied professional, service provider, or facility. In furtherance hereof, barangays are highly encouraged to set aside the amount necessary to carry out the intents and purposes of this Ordinance. Their annual budgets should carry provision and budget to implement this ordinance, which shall be subject to the scrutiny of the Municipal Budget Office before submission to the Sangguniang Bayan for approval.

SECTION 15. ASSIGNMENT OF MENTAL HEALTH PROFESSIONAL IN BARANGAYS. As much as practicable, there shall be a mental health professional assigned in each barangay to cater with victims of R.A. No. 9262, children at risk (CAR), children in conflict with the law (CICL), and other victims belonging to vulnerable sectors.



The assigned mental health professional may also be called upon to assist the monitoring of those persons diagnosed with mental health condition, as referred by other mental health professionals, mental health facilities, and other appropriate institutions or agencies.

SECTION 16. CAPACITY BUILDING PROGRAMS FOR BARANGAY FRONTLINE WORKERS. The Municipal Health Office, with technical assistance from Department of Health (DOH), shall be responsible for the training of BHWs, and other barangay volunteers on the promotion of mental health. The Municipal Government shall provide them assistance for medical equipment and supplies to carry out their functions.

For this purpose, capacity-building activities for mental health issues and those persons in-distress situations shall be designed by the MMHAC to ensure uniformity and regularity in its conduct for the barangays of the municipality. It shall also take into special consideration the expertise of established training groups for this purpose.

SECTION 17. MENTAL HELTH CARE IN EDUCATIONAL AND TRAINING INSTITUTIONS.

In close coordination with the Department of Education (DepEd), the Commission on Higher Education (CHED), the Department of Health (DOH), the Department of Social Welfare and Development (DSWD), Municipal Mental Health Advisory Council, all educational and training institutions in the Municipality, at all levels, shall establish a mental health care system for the students, learners, and personnel, which include the following:

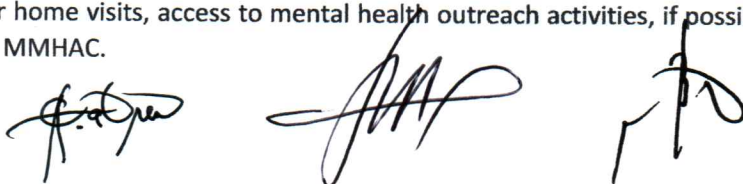
- a) A guidance office, which shall be available at any time of the day for students;
- b) Appropriate mental health training for school guidance counselors, nurses and doctors, and allied professionals;
- c) Training of school teachers for mental health both in classroom and virtual setting; and
- d) Advocacy and promotional activities, and awareness campaigns on the protection and promotion of the right to mental health.

SECTION 18. MENTAL HEALTH CARE IN WORK INSTITUTIONS. Employers and municipal government, agencies, and instrumentalities, shall establish a mental health care system, which shall include programs and services for the mental health of the employees.

SECTION 19. CAPACITY BUILDING PROGRAMS FOR OTHER STAKEHOLDERS. In close coordination with mental health facilities, academic institutions, and other stakeholders, mental health professionals, worker, and other service providers shall undergo capacity building, reorientation, and training develop their ability to deliver evidence-based, gender-sensitive, culturally appropriate and human-rights oriented mental health services, with emphasis on the community and public health aspects of mental health. For this purpose, non-government organizations, people's organizations and other entities that are helping in the promotion and advocacy for mental health awareness shall be encouraged to coordinate with the Municipal health Office and the Board for purpose inclusion in the comprehensive plan to address mental health issues in the Municipality.

SECTION 20. ACCESS TO EFFECTIVE AND QUALITY MENTAL HEALTH CARE. Every constituent shall have the right on equal and non-discriminatory basis, to receive mental health care appropriate to his or her needs and shall be entitled to care and treatment in accordance to the same standards and accessibility as other sick individuals.

Likewise, people in far-flung areas and/or highly populated or depressed area/barangays and people from vulnerable sectors such as the children at risk, children in conflict with the law, people deprived of liberty, indigenous people, and women in postpartum shall have the same level of access, and shall be prioritized for regular home visits, access to mental health outreach activities, if possible, based on the guidelines to be set by the MMHAC.



SECTION 21. CONFIDENTIALITY. All patients or service users with mental illness enjoy the right to confidentiality. Confidentiality of all information, communications, and records including those in Data Privacy Act, in whatever form or medium stored, regarding the patient/service user, any aspect of the patient's/service user's mental health, or any treatment or care received by the patients/service user, which information, communication, and records shall not be disclosed to third parties without written consent of the patients/service user's legal representative, except in some circumstances allowed by law.

SECTION 22. MENTAL HEALTH CARE FOR DRUG DEPENDENTS. Persons who used prohibited drugs or substances referred or accessing the services of the Municipal Mental Health Care Program shall be given equal and non-discriminatory services but subject to the existing policies and programs of the municipality for substance abuse clients or patients.

SECTION 23. INFORMED CONSENT TO TREATMENT. Service users must provided informed consent in writing prior to the implementation by mental health professionals, workers, and other service providers of any plan or program of therapy or treatment, including physical or chemical restraint. All persons, including service users, person with disabilities, and minors, shall be presumed to possess legal capacity for the purpose of this Ordinance or any other applicable law, irrespective of the nature or effects of their mental health conditions or disability. Children shall have the right to express their views on all matter affecting themselves and have such views given due consideration in accordance with their age and maturity.

SECTION 24. ADVANCE DIRECTIVE. Any person seeking the services, established in this Ordinance, may set out his/her preference in relation to treatment through a signed, dated, and notarized advance directive executed for the purpose. An advance directive may be revoked by a new advance directive or by a notarized revocation.

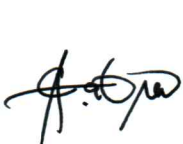
SECTION 25. PENAL PROVISION. This Ordinance strictly prohibits the discrimination against a person with a mental health condition.

- a) This Ordinance adopts the penalty clauses provided in Section 44, in relation to Sections 18, 4 (c), 4 (e), and 5 (h) of R.A. No. 11063. For this purpose, the Municipal Government of Cagwait shall assist any complaints in the filing of a case with proper Court.
- b) Failure to observe the provisions particularly under Sections 20, 21, 22, 23 and 24 of this Ordinance hereof, the following fines/penalties shall be observed:
 1. First Offense – Reprimand;
 2. Second Offense – a fine of One Thousand Pesos (P1,000.00);
 3. Third Offense – shall be meted with Two Thousand Pesos (P2,000.00), or an imprisonment of not more than 15 days, or both at the discretion of the Court.

If the violation is committed by a public officer, he/she shall also be subject to administrative liability, in addition to the above-mentioned penalties.

SECTION 26. REPORTORIAL REQUIREMENTS. The Municipal Health Office shall make a quarterly report to the Philippine Council for Mental Health/Authorized Government Agencies which shall include, among others, the following data:

- a) Number of patients/service users attended to and or served;
- b) The respective kinds of mental illness or disability, duration and result of the treatment; and



- c) Patients/service user's age, gender, educational...attainment and employment without, disclosing the identities of such patients/service user for confidentiality. Such report shall also include analysis of current and projected mental health situation and recommendation on how to improve mental health campaigns.

Such report shall also be furnished to the MMHAC for appropriate policy and program interventions, and to the Commission on Human Rights-Region 13 for human rights situation monitoring in the municipality.

SECTION 27. IMPLEMENTING RULES AND REGULATIONS (IRR). Within ninety (90) days from the effectivity of this Ordinance, the Office of the Municipal Mayor, in coordination with the MMHAC, shall formulate the rules and regulations necessary for the effective implementation of this Ordinance.

SECTION 28. FUNDING AND APPROPRIATIONS. The amount of fifty Thousand Pesos (P50,000.00) shall be appropriated for the implementation of this Ordinance.

SECTION 29. SEPARABILITY CLAUSE. If for any reason, any provision of this ordinance shall be held unconstitutional or not valid by any court of competent jurisdiction, such judgement shall not affect or impair the other provisions or part thereof which shall continue to be in force and in effect.

SECTION 30. REPEALING AND AMENDATORY CLAUSE. All municipal ordinances, resolutions, rules and regulations or any part thereof which are in conflict with or inconsistent with the provisions of this Ordinance are hereby repealed and/or modified accordingly.

SECTION 31. EFFECTIVITY. This Ordinance shall take effect upon its approval and posting in three conspicuous public places of the municipality.

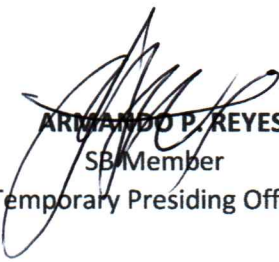
Adopted and approved this 1st day of September 2026 authored by Hon. Guardiano C. Lozada and co-authored by Hon. Angelyn P. Prado.

Unanimously Approved

I HEREBY CERTIFY to the correctness of the above-quoted resolution.


ALAN A. CABRERA
Secretary to the Sanggunian

ATTESTED:


ARMANDO P. REYES
SB Member
Temporary Presiding Officer

APPROVED:


GLENN G. BATIANCILA, REE
Municipal Mayor

Date of Approval: 9/23/26